

REMARKS

Applicant thanks the Patent Office for the careful attention accorded this Application and respectfully request reconsideration in view of the Amendment above and remarks set forth below.

In response to the Office Action mailed June 28, 2007, Applicant has canceled Claims 17-48 without prejudice or disclaimer, and has added rewritten Claims 49-58 for further prosecution on the merits. Applicant reserves the right to pursue protection on the canceled claims in one or more Continuation Applications.

Applicant has also amended the Title of Invention to more accurately reflect the present invention defined by the rewritten Claims.

Applicant believes that the rewritten Claims 49-58 clearly point out and distinctively claim the present invention over the prior art references of record, and are now in condition for allowance.

As recited in rewritten Claim 49, the Web-based consumer service marketing communication network ("Web-based network") of the claimed invention enables managing and delivering consumer service marketing communications to consumers at Websites along on the World Wide Web (WWW).

As recited in rewritten Claim 49, the Web-based network includes a first Web-based subsystem allowing members of the service management team for a registered consumer service, as well as other authorized parties, to create and manage a consumer service information (CSI) link structure for each registered consumer service.

As claimed, each CSI link structure comprises the following items:

- (i) a Unique Service Number (USN) assigned to the consumer service; and
- (ii) a set of URLs for a plurality of consumer service information (CSI) resources stored on Web-based information servers operably connected to the WWW, and wherein the CSI

resources can be selected by one or more members of the service management team and authorized parties to program the set of CSI resources for the consumer service.

As recited in rewritten Claim 49, the Web-based network includes a second Web-based subsystem allowing service management team members and authorized parties, associated with a registered consumer service, to create and deploy one or more Web-based Multi-Mode Virtual Kiosks (MMVKs) for the consumer service so that each said deployed MMVK can be installed in and launched from one or more HTML-encoded pages located in the Websites, and accessible by consumers using a Web browser.

Each MMVK on the network is implemented using (i) a computer-executable server-side component stored on a first Internet-enabled information server operably connected to the WWW and including code specifying the USN assigned to the consumer service, and (ii) a MMVK tag that references the computer-executable server-side component and is embeddable within at least one of the HTML-encoded pages located in the Websites.

As recited in Claim 49, when generated by the first Internet-enabled information server, and served to the Web browser of a consumer, each MMVK displays a graphical user interface (GUI) that is characterized by a plurality of independently programmable display modes selected from the group consisting of (i) an advertising display mode for displaying one or more advertising spots, (ii) a promotional display mode for displaying one or more promotional spots, and (iii) a consumer service information (CSI) menu display mode for displaying a set of CSI resources arranged for selection by the consumer using the Web browser.

As recited in rewritten Claim 49, the Web-based network includes a plurality of Web-based information servers operably connected to the WWW, storing and configured to serve one or more advertising spots, one or more promotional spots, and the set of CSI resources to the Web browser, for display to the consumer through the plurality of independently programmable display modes of each MMVK.

As recited in rewritten Claim 49, the Web-based network includes a second Internet-enabled information server storing and configured to serve a catalog of MMVK tags on the WWW, for each registered consumer service, for which at least one MMVK has been created and deployed and is ready for installation on the HTML-encoded pages of the Websites.

As claimed, each MMVK tag in the catalog is accessible by service management team members and authorized parties, and downloadable from the second Internet-enabled information server for installation in at least one HTML-encoded page located in at least one EC-enabled Website, by embedding the downloaded MMVK tag in at least one HTML-encoded page located in at least one Website.

As recited in rewritten Claim 49, the set of URLs included the CSI link structure for a registered consumer service, specify the location of corresponding CSI resources stored on Web-based information servers located on the WWW. Also, a plurality of said CSI resources are selected the service management team members and authorized parties to program one or more of the advertising, promotional and CSI menu display modes of the MMVK created and deployed for the registered consumer service associated with the CSI link structure.

As recited in rewritten Claim 49, the Web-based network also includes a third Web-based subsystem allowing the service management team members and authorized parties to independently program the advertising display mode of each MMVK with one or more advertising spots, and the promotional display mode of each MMVK with one or more promotional spots.

As claimed, when at least one CSI link structure has been created for a registered consumer service using the first Web-based subsystem, then the second Web-based subsystem allows the service management team members and authorized parties to create and deploy one or more MMVKs for registered consumer services, and also to access the catalog and download MMVK tags from the second Internet-enabled information server for installation in at least one HTML-encoded page of at least one of the Websites.

As claimed, the first Web-based subsystem allows service management team members and authorized parties to independently program the CSI menu display mode of each installed MMVK.

The third Web-based subsystem allows the service management team members and authorized parties to independently program the advertising and promotional display modes of each installed MMVK.

Upon the Web-browser of the consumer encountering one installed MMVK tag along the HTML-encoded page of one Website, the computer-executable server-side component corresponding to the installed MMVK tag is automatically executed and the corresponding MMVK is generated by the first Internet-enabled information server and served to the Web browser, for display by the Web browser and review by the consumer at the Website.

Dependent Claims 49-57 are directed to subordinate features of the present invention.

Applicant has carefully reviewed the prior art references, including US Patent Nos. US Patent No. 6,591,247 to Stern and US Patent No. 6,542,933 to Durst et al, and firmly believes, that, when taken alone or in combination with each other, the prior art as a whole fails to disclose, teach or suggest the present invention defined by the rewritten Claims 49-57.

US Patent No. 6,591,247 to Stern discloses an IP based digital content distribution network, wherein batteries of digital content (e.g. product information and advertisements) are combined together in a single distribution file (e.g. .big format) at a centralized database server (i.e. NMC database 252c, Database files 352 and Builder 350) and then delivered to remote sites (e.g. physical retail kiosks, "wall of eyes" television sets etc) in physical retail stores, in either an interactive or non-interactive manner, on a per product basis. As disclosed, the interactive delivery method may be initiated by the consumer scanning a UPC code on a product of interest, in a brick and mortar store.

In contrast, Applicant's Web-based consumer service marketing communication network defined by rewritten Claim 49 delivers consumer service content (e.g. ads, promos and CSI resources) to consumers using server-side driven Multi-Mode Virtual Kiosks (MMVKs) that:

- (i) are launched from MMVK tags embedded within HTML-encoded pages of EC-enabled Websites, and

- (ii) have a GUI characterized by a plurality of independently programmable display modes that display content served up from Web-based information servers located anywhere on the WWW---and not from "a centralized database server" as required by Stern's content distribution network (which combines digital content together in a single distribution file, e.g. .big format, at a centralized database server).

US Patent No. 6,542,933 to Durst et al discloses a system for delivering consumer product information on the Internet to a user's Web browser by providing the consumer product's UPC number to a UPC/URL database server constructed in accordance with US Patent No. 5,978,773 to Hudetz et al. And while Durst et al does disclose using a CGI program or a Java servlet to implement its information server 50, Applicant respectfully notes that their use of a Java servlet in the information server 50 is for the purpose of implementing a database calling process, wherein the UPC number or other code (acquired by scanning a consumer product or other object) is received from a host computer (with a scanner) and used to access the UPC/URL database.

Unlike the present invention defined by Claim 49, Durst et al's Java servlet clearly fails to provide a server-side component driven MMVK that displays a GUI characterized by a plurality of independently programmable display modes selected from the group consisting of (i) an advertising display mode for displaying one or more advertising spots, (ii) a promotional display mode for displaying one or more promotional spots, and (iii) a consumer service information (CSI) menu display mode for displaying a set of CSI resources arranged for selection by the consumer using a Web browser, as claimed.

Moreover, Stern does not disclose, hint or suggest providing a server-side component driven MMVK that displays a GUI that is characterized by a plurality of independently

programmable display modes, which are programmable by service management team members using Web-based subsystems, as recited by the rewritten Claim 49.

Clearly, Stern's content delivery network combines digital content together in a single distribution file (e.g. .big format) at a centralized database server, for delivery to remote sites in physical retail stores, and using this distribution method, there is no need or motivation to provide anything like Applicant's server-side component driven MMVK, which allows service management team members (who typically perform different marketing communication functions) to program different display modes independently from all other display modes.

In marked contrast, Applicant's Web-based communication network does not combine digital content into a single distribution file, but rather allows service management team members to program each display mode of each deployed MMVK independently from all other display modes, using URL links (managed by the CSI link structure) which are used by the consumer's Web browser to pull CSI resource content from Web-based information servers located wherever they may be located on the WWW. In short, Applicant's Web-based network as claimed, and Stern's network as disclosed, operate on radically different principles of operation.

Also, whereas the Durst et al system requires the optical scanning of UPC numbers or other code symbol structures for UPC data entry to the UPC/URL database server, Applicant's Web-based marketing communication network has obviated this requirement altogether by the computer-executable server-side component, underlying each MMVK, including code specifying the unique (or universal) service code (USN) assigned to the registered consumer service, as recited in rewritten Claim 49.

There are many other significant differences between (i) the Web-based communication network of the present invention defined by rewritten Claim 49, and (ii) the Stern network and Durst et al system disclosed in the prior art references.

For example, neither Stern or Durst disclose, teach or suggest providing a Web-based communication network as defined by rewritten Claim 49, wherein a first Web-based subsystem which allows members of a service management team and other authorized parties, to create and manage a consumer service information (CSI) link structure for each registered consumer service, and a second Web-based subsystem which allows service management team members to create and deploy MMVKs for the consumer service so that each deployed MMVK can be installed in and launched from one or more HTML-encoded pages located in Websites, and accessible by consumers using a Web browser.

Neither Stern or Durst disclose, teach or suggest providing a Web-based network as defined by rewritten Claim 49, wherein each MMVK on the network is implemented using (i) a computer-executable server-side component stored on a first Internet-enabled information server operably connected to the WWW and including code specifying the USN assigned to the consumer service, and (ii) a MMVK tag that references said computer-executable server-side component and is embeddable within at least one of HTML-encoded pages located in EC-enabled Websites, and wherein the network further includes a second Internet-enabled information server storing and configured to serve a catalog of MMVK tags on the WWW, for each registered consumer service, for which at least one MMVK has been created and deployed and is ready for installation on the HTML-encoded pages of Websites.

Neither Stern or Durst disclose, teach or suggest providing a Web-based network as defined by rewritten Claim 49, wherein each MMVK tag in the catalog is accessible by the service management team members and authorized parties, and downloadable from the second Internet-enabled information server for installation in at least one HTML-encoded page located in at least one EC-enabled Website, by embedding the downloaded MMVK tag in at least one HTML-encoded page located in at least one Website.

Neither Stern or Durst disclose, teach or suggest providing a Web-based network as defined by rewritten Claim 49, wherein the set of URLs included a CSI link structure for a registered consumer service, specify the location of corresponding CSI resources stored on Web-based information servers located on the WWW, and wherein a plurality of said CSI resources

are selected by the service management team members and authorized parties to program one or more of the advertising, promotional and CSI menu display modes of the MMVK created and deployed for the registered consumer service associated with the CSI link structure.

Furthermore, neither Stern or Durst disclose, teach or suggest providing a Web-based network as defined by rewritten Claim 49, wherein when at least one CSI link structure has been created for a registered consumer service using the first Web-based subsystem, then the second Web-based subsystem allows the service management team members and authorized parties to create and deploy one or more MMVKs for registered consumer services, and also to access the catalog and download MMVK tags from the second Internet-enabled information server for installation in at least one HTML-encoded page of at least one of the Websites.


Even when combining the disclosures of Stern and Durst, and other prior art references made of record, Applicant firmly believes that the Web-based consumer service marketing communication network of the claimed invention is clearly not provided.

In view therefore, of the Amendment and Remarks set forth above, Applicant firmly believes that the present invention defined by rewritten Claims 49-58 is neither anticipated by, nor rendered obvious in view of the prior art of record, and that the present application is now in condition for allowance.

The Commissioner is hereby authorized to charge any fee deficiencies to Deposit Account 16-1340.

Respectfully submitted,

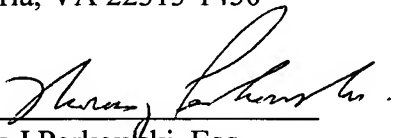
Dated: November 28, 2007


Thomas J Perkowski, Esq.
Attorney for Applicant
Reg. No. 33,134
Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902
203-357-1950
<http://www.tjpatlaw.com>

CERTIFICATE OF MAILING UNDER
37 C.F.R. 1.8

I hereby certify that this correspondence
is being deposited with the United States
Postal Service on November 28, 2007, in a Postage
Prepaid envelope as, First Class Mail,
addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Thomas J Perkowski, Esq.
Date: November 28, 2007